

## PERSONAL BUDGET ASSISTANCE (PBA)

### ***General Description:***

Personal Budget Assistance (PBA) provides hourly and daily one-on-one support with financial matters, fiscal training, supervision of financial resources, savings, retirement, earnings, and funds monitoring, monthly check writing, bank reconciliation, budget management, tax and fiscal record keeping and filing and fiscal interaction on behalf of the individual. Generally, this service is provided along with another support like residential habilitation or supported living. A PBA contractor shall manage the personal finances on behalf of a person in services and may also act as the Social Security Administration, Representative Payee, conservator or the person's voluntarily appointed personal funds manager.

PBA may be paid only to persons participating in the Provider-based services method.

PBA Contractor shall comply with the following additional requirements:

#### A. Representative Payee

1. As per R539-3-5(2), the Contractor shall follow all Social Security Administration requirements outlined in 20 CFR 416.601-665.
2. As per R539-3-5(1), persons shall have access to and control over personal funds unless the person/representative voluntarily signs a DHS/DSPD Voluntary Financial Support Agreement (Form 1-3). The Contractor's Human Rights Committee may recommend to the person's team to restrict a person's right to manage personal funds, if the person's money, health or safety is placed in jeopardy by severe mishandling, unlimited access or exploitation of funds by the person or others. The Contractor's staff shall give the person training, support and opportunities to manage finances to the maximum extent possible.
3. The Contractor's staff shall review financial records with the person at least monthly.
  - a. Maintain documentation of this review in the person's records and include reconciled financial statements.
  - b. Keep an accurate record of all funds deposited on behalf of the person with the Contractor for use by the person. This record shall contain a list of deposits and withdrawals by category of food, rent, clothing and leisure. This record shall be verifiable with receipts and/or monthly bank statements.
  - c. Substantiate purchases over \$20.00 per item by receipts signed by the person and professional staff.
  - d. Verify multiple items purchased over \$20.00 with receipts, cancelled checks or monthly bank statements.
4. The Contractor's staff shall document the handling of personal funds in a way that is not harmful or embarrassing to the person and supports the intent of the income source. The team may determine how a person can be assisted with financial matters, recommend the type of financial support a person may need and refer the person to a review by the Contractor's Human Rights Committee. The Contractor's staff should act as representative or protective payee only in a situation where no other knowledgeable, financially competent adult is willing to take on the representative or protective payee responsibilities. The Contractor may submit an alternative procedure for consideration by the Division Director. The Contractor shall only use the proposed alternative procedure if written approval of the variance is granted by the Division Director or designee.

5. Upon receipt of the person's team approval or a DHS/DSPD 52 Form 1-3, signed by the person/Representative, Contractor's staff shall manage the major personal business affairs of a person. Major personal business affairs include management of personal funds, checking account, savings account, or other financial matters related to supplemental income. Any variance from procedures must be approved by the Contractor's Human Rights Committee or requested by the person/representative and documented in the Individual Support Plan's Action Plan (ISP/AP).
6. A record shall be kept of the person's petty cash funds. The amount of cash maintained in the person's petty cash account shall not exceed \$50.00 without Contractor's administrative approval. Records shall be kept of all deposits and withdrawals to the petty cash account.
7. The Contractor's staff shall assure accuracy of personal financial records through monthly review performed by someone other than the Contractor's staff authorizing expenditures. This review shall include verifying receipts of purchases of single items exceeding \$20.00 in value. A quarterly administrative review of monthly financial documentation, bank statement, receipts and purchases shall be conducted by each Contractor for a random sample of persons receiving support to ensure adequate control of finances for all persons served by the Contractor. The Contractor's staff shall maintain documentation that approved reviews were conducted.
8. It is recommended that the Contractor protect the person's funds by using methods such as:
  - a. not writing checks for more than \$35.00 cash a week,
  - b. not using the Automatic Teller Machine for transactions,
  - c. making deposits with no cash back.These actions help to protect the person's funds by establishing a bank record of the total funds received by the person and requiring the person to sign all transactions. The Contractor's Human Rights Committee may propose specific limits on a person's access to money and allowable spending amounts for the person's team review and approval.
9. Representative or protective payee's monthly statement shall be forwarded monthly to the Support Coordinator.
10. Contractor shall comply with DHS/DSPD representative payee records reviews. DHS/DSPD shall review the Contractor's representative payee records as described in Utah Code § 62A-5-103(2)(k).

**B. Person's Personal Funds**

1. In the event of an emergency situation, a Contractor may write a check to the person or the person may borrow money from the Contractor. The person's support team must be notified and grant approval of the Contractor's actions. The Contractor's staff must document the emergency and the person's support team approval and maintain this documentation in the person's record. The Contractor shall have policies and procedures in place to make sure a person does not continuously owe the Contractor money due to emergency situations.
2. A person shall not give cash to or make purchases from the Contractor or Contractor's staff. A person shall not write checks to the Contractor's staff. Only in cases of emergency, may a person write a check to repay a loan made by the Contractor.

Contractor shall ensure the person has adequate access to personal 103 finances in order to cover anticipated expenditures. The exceptions to persons making payments to the Contractor are as follows: a) reimbursement to the Contractor for destruction of property by the person, if approved by the team, and allowable by contract, and b) room and board charges, if allowable by contract.

3. The Contractor's staff shall not loan or give money to a person. The Contractor shall not loan or give money to a person except in case of an emergency. A person shall not loan or give money to the Contractor's staff or the Contractor itself.
4. Belongings with a purchase price or value of \$50.00 or more shall be inventoried. The inventory shall also include other items of significance to the person, which may cost less than \$50.00. The inventory shall be maintained on an ongoing basis and reviewed annually. Discarded items shall be deleted from the inventory list. Documentation of the reason for the deletion of an item shall be maintained and shall require the signature of the person/representative and one Contractor staff or two Contractor staff if the person/representative is not available. Personal possessions shall be released to the person/representative whenever the person moves.

PBA is only available to persons participating in the Provider-based method.

**Limitations:**

PBA shall be used instead of Residential Habilitation and Supported Living when the person needs support to manage his or her personal funds. PBA is used to supplement Residential Habilitation and Supported Living services and allows for a distinction of fiscal activities from programmatic activities.

**Population Served:**

The Contractor will serve people currently receiving services from DHS/DSPD with intellectual disabilities and related conditions as defined in Utah Administrative Code R539-1.

**Contractor's Qualifications:**

Contractor must have all applicable licenses as prescribed in Utah Administrative Code R501 to operate and provide the particular type of services being offered and comply with insurance requirements and any local ordinances or permits governing the type of service provided.

Contractor must be enrolled as an approved Individual Medicaid Provider with the Utah Department of Health and agree to allow DHS/DSPD to bill Medicaid on its behalf for covered Medicaid services included in the rate paid by DHS/DSPD to the Contractor. Contractor must also agree to participate in any DHS/DSPD provided Medicaid training.

**Staff Qualifications:**

All staff must demonstrate competency, as determined by the Contractor, education, and training before the delivery of any supports to persons.

Professional staff must be licensed as applicable according to the Division of Occupational and Professional Licensing.

**Direct Service Requirements:**

- A. **Person-Centered Planning:** Contractor staff shall participate in and comply 153 with the requirements of the DHS/DSPD Person-Centered Planning Process in providing services.

1. The Contractor is responsible for implementing the applicable portion of the ISP/AP. The ISP document may include the following separate documents: Action Plan, Support Strategies, including Behavior Support Plan, Psychotropic Med Plan, Staff Instruction sheet, data collection and/or Task Analysis sheet.
2. Once the ISP/AP has been developed, the Contractor must orient the person to the plan and ensure the person is involved in its implementation.
3. The Contractor shall develop Support Strategies for the person. Contractor shall submit Support Strategies and Monthly Summaries to DHS/DSPD.
4. The Contractor, as a member of the person's team, is required to meet at least annually (within 12 months of the last Person-Centered Process meeting) to review the person's service/support requirements and to make adjustments as necessary based on the person's needs. However, it may meet more often as determined by the person or other members of the team.

**All requirements listed in the applicable Residential Service Descriptions for the person (RHI, RHS, HHS or PPS apply to equally to PBA).**

**Staff Support:**

Actual type, frequency and duration of support will be defined in the person's ISP/AP based on the person's assessed needs. Up to fifty percent of the service may be delivered outside of the person's presence.

**Rate:**

Personal Budget Assistance is provided on both a daily as well as a quarter hour basis. The daily rate is paid if the person is also receiving Residential Habilitation (RHS, RHI), Professional Parent Support (PPS) or Host Home Support (HHS) services. Otherwise, Personal Budget Assistance (PBA) is billed using the hourly rate.